

Dated: \_\_\_\_\_

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Examiner: P. Gambel

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A concise explanation of relevance of the items listed on form PTO/SB/08 is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.


In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Our check in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p) is enclosed. The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: February 2, 2004

Respectfully submitted,

By   
Anna Löqvist, Ph.D.

Limited Recognition Under  
37 C.F.R. 10.9(b) (see attached)  
Representative of Applicants  
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(212) 527-7700  
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Image

02-04-04

1649

Application No. (if known): 09/835,126

Attorney Docket No.: 20052/1200522-US1



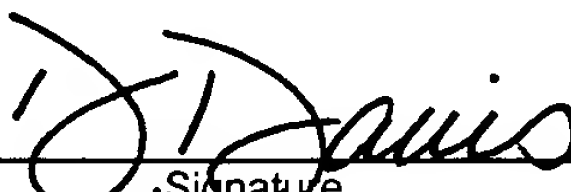
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Date

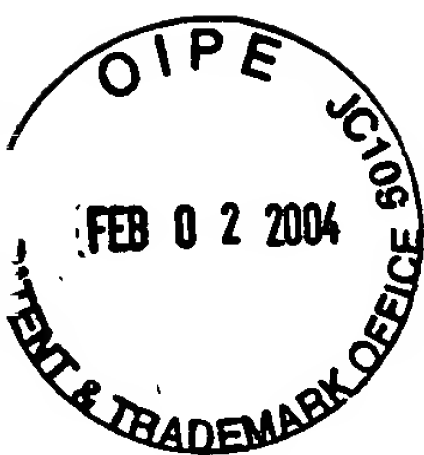
  
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Check No. **4046** in the amount of \$180.00  
Information Disclosure Statement (2 pages)  
Limited Recognition under 37 C.F.R. 10.9(b) (1 page)  
Supplementary European Search Report dated 01/28/03 (4 pages)  
Form PTO/SB/08 (1 page)  
Six (6) References  
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| FEE TRANSMITTAL<br>for FY 2004<br><small>Effective 10/01/2003, Patent fees are subject to annual revision.</small>   |  | Complete if Known  |                    |
|--|--|--|--------------------|
|  |  | Application Number   | 09/835,126         |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27   |  | Filing Date  | April 16, 2001     |
| TOTAL AMOUNT OF PAYMENT (\$)   |  | First Named Inventor   | Randolph J. Noelle |
|  |  | Examiner Name  | P. Gambel          |
| (\$)   |  | Art Unit   | 1644               |
| 180.00   |  | Attorney Docket No.  | 20052/1200522-US1  |
| METHOD OF PAYMENT (check all that apply)   |  | FEE CALCULATION (continued)  |                    |
| <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None |  | 3. ADDITIONAL FEES   |                    |
| <input type="checkbox"/> Deposit Account:<br>Deposit Account Number: 04-0100<br>Deposit Account Name: Darby & Darby P.C.   |  | Large Entity Small Entity  |                    |
| The Director is authorized to: (check all that apply)  |  | Fee Code Fee (\$) Fee Code Fee (\$) Fee Description Fee Paid                               |                    |
| <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments   |  | 1051 130 2051 65 Surcharge - late filing fee or oath                                       |                    |
| <input type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s)  |  | 1052 50 2052 25 Surcharge - late provisional filing fee or cover sheet.                    |                    |
| <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.   |  | 1053 130 1053 130 Non-English specification  |                    |
| FEE CALCULATION  |  | 1812 2,520 1812 2,520 For filing a request for <i>ex parte</i> reexamination               |                    |
| 1. BASIC FILING FEE  |  | 1804 920* 1804 920* Requesting publication of SIR prior to Examiner action                 |                    |
| Large Entity Small Entity  |  | 1805 1,840* 1805 1,840* Requesting publication of SIR after Examiner action                |                    |
| Fee Code Fee (\$)  | Fee Code Fee (\$)  | 1251 110 2251 55 Extension for reply within first month                                    |                    |
| 1001 770 2001 385  | Utility filing fee   | 1252 420 2252 210 Extension for reply within second month                                  |                    |
| 1002 340 2002 170  | Design filing fee  | 1253 950 2253 475 Extension for reply within third month                                   |                    |
| 1003 530 2003 265  | Plant filing fee   | 1254 1,480 2254 740 Extension for reply within fourth month                                |                    |
| 1004 770 2004 385  | Reissue filing fee   | 1255 2,010 2255 1,005 Extension for reply within fifth month                               |                    |
| 1005 160 2005 80   | Provisional filing fee                                     | 1401 330 2401 165 Notice of Appeal   |                    |
| SUBTOTAL (1) (\$)  |  | 1402 330 2402 165 Filing a brief in support of an appeal                                   |                    |
| 0.00   |  | 1403 290 2403 145 Request for oral hearing   |                    |
| 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE  |  | 1451 1,510 1451 1,510 Petition to institute a public use proceeding                        |                    |
| Total Claims <input type="text"/> ** = <input type="text"/> x <input type="text"/> = <input type="text"/>  |  | 1452 110 2452 55 Petition to revive - unavoidable  |                    |
| Independent Claims <input type="text"/> ** = <input type="text"/> x <input type="text"/> = <input type="text"/>  |  | 1453 1,330 2453 665 Petition to revive - unintentional                                     |                    |
| Multiple Dependent <input type="text"/> = <input type="text"/>   |  | 1501 1,330 2501 665 Utility issue fee (or reissue)   |                    |
| Large Entity Small Entity  |  | 1502 480 2502 240 Design issue fee   |                    |
| Fee Code Fee (\$)  | Fee Code Fee (\$)  | 1503 640 2503 320 Plant issue fee  |                    |
| 1202 18 2202 9   | Claims in excess of 20                                     | 1460 130 1460 130 Petitions to the Commissioner  |                    |
| 1201 86 2201 43  | Independent claims in excess of 3                          | 1807 50 1807 50 Processing fee under 37 CFR 1.17(q)  |                    |
| 1203 290 2203 145  | Multiple dependent claim, if not paid                      | 1806 180 1806 180 Submission of Information Disclosure Stmt                                |                    |
| 1204 86 2204 43  | ** Reissue independent claims over original patent         | 8021 40 8021 40 Recording each patent assignment per property (times number of properties) |                    |
| 1205 18 2205 9   | ** Reissue claims in excess of 20 and over original patent | 1809 770 2809 385 Filing a submission after final rejection (37 CFR 1.129(a))              |                    |
| SUBTOTAL (2) (\$)  |  | 1810 770 2810 385 For each additional invention to be examined (37CFR 1.129(b))            |                    |
| 0.00   |  | 1801 770 2801 385 Request for Continued Examination (RCE)                                  |                    |
| **or number previously paid, if greater; For Reissues, see above   |  | 1802 900 1802 900 Request for expedited examination of a design application                |                    |
|  |  | Other fee (specify)  |                    |
|  |  | *Reduced by Basic Filing Fee Paid  |                    |
|  |  | SUBTOTAL (3) (\$)  |                    |
|  |  | 180.00   |                    |

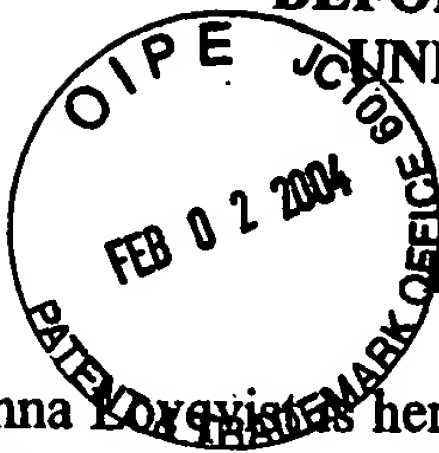
| SUBMITTED BY      |                     | (Complete if applicable)          |                         |
|-------------------|---------------------|-----------------------------------|-------------------------|
| Name (Print/Type) | Anna Löqvist, Ph.D. | Registration No. (Attorney/Agent) | See Limited Recognition |
| Signature         |                     | Telephone                         | (212) 836-3747          |
|                   |                     | Date                              | February 2, 2004        |

|                        |              |
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**BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE  
UNITED STATES PATENT AND TRADEMARK OFFICE**

**LIMITED RECOGNITION UNDER 37 CFR 10.9(b)**

Anna Lovqvist is hereby given limited recognition under 37 CFR 10.9(b) as an employee of the Darby & Darby P.C. law firm to prepare and prosecute patent applications wherein the patent applicant is the client of the Darby & Darby P.C. law firm, and the attorney or agent of record in the applications is a registered practitioner, located in the United States, who is a member of the Darby & Darby P.C. law firm. This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below: (i) Anna Lovqvist ceases to lawfully reside in the United States, (ii) Anna Lovqvist's employment with the Darby & Darby P.C. law firm ceases or is terminated, or (iii) Anna Lovqvist ceases to remain or reside in the United States on an H1B1 visa.

This document constitutes proof of such recognition. The original of this document is on file in the Office of Enrollment and Discipline of the United States Patent and Trademark Office.

**Expires: February 4, 2004**

Harry I. Moatz

Director of Enrollment and Discipline



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| Substitute for form 1449A/B/PTO<br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br><i>(Use as many sheets as necessary)</i> |   |    |   | <b>Complete if Known</b> |                    |
|   |   |    |   | Application Number       | 09/835,126         |
|   |   |    |   | Filing Date              | April 16, 2001     |
|   |   |    |   | First Named Inventor     | Randolph J. Noelle |
|   |   |    |   | Art Unit                 | 1644               |
|   |   |    |   | Examiner Name            | P. Gambel          |
| Sheet   | 1 | of | 1 | Attorney Docket Number   | 20052/1200522-US1  |

| U.S. PATENT DOCUMENTS |                          |  |                                |  |   |
|-----------------------|--------------------------|--|--------------------------------|--|---|
| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Document Number                          | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|                       |                          | Number-Kind Code <sup>2</sup> (if known) |                                |  |   |
|                       | AA                       | US-5,683,693                             | 11-04-1997                     | Noelle et al.                                      |   |

| FOREIGN PATENT DOCUMENTS |                          |   |                                   |  |   |                |
|--------------------------|--------------------------|---|-----------------------------------|--|---|----------------|
| Examiner<br>Initials*    | Cite<br>No. <sup>1</sup> | Foreign Patent Document   | Publication<br>Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages<br>or Relevant Figures Appear | T <sup>6</sup> |
|                          |                          | Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known) |                                   |  |   |                |
|                          | BA                       | WO 97/34633 A1  | 09-25-1997                        |  |   |                |

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

| NON PATENT LITERATURE DOCUMENTS |                          |   |                |  |
|---------------------------------|--------------------------|---|----------------|--|
| Examiner<br>Initials            | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |  |
|                                 | CA                       | BLAZAR et al., 39 <sup>th</sup> Annual Meeting of the American Society of Hematology, 1997, Abstract  |                |  |
|                                 | CB                       | BLAZAR et al., J. Clin. Invest. 1998;102(3):473-482   |                |  |
|                                 | CC                       | GRIBBEN et al., Blood 1996;87(11):4887-4893   |                |  |
|                                 | CD                       | MURPHY et al., Curr. Op. Immunol. 1999;11:509-515   |                |  |

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

|                       |  |                    |  |
|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

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